



CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER
CHAIRPERSON | BOARD MEMBER

CHRISTINE A. ELOW
POLICE COMMISSIONER | BOARD MEMBER

GERARD E. MAHONEY
FIRE CHIEF | BOARD MEMBER

BOARD OF LICENSE COMMISSIONERS' MEETING AGENDA

Tuesday, May 31, 2022, 9:00 a.m.
By Remote Participation

This meeting was held remotely in accordance with Section 20 of Chapter 20 of the Acts of 2021, signed into law on June 16, 2021. Meeting started at approximately 9:00 a.m.

Board Members: Nicole Murati Ferrer (present), Gerard E. Mahoney (absent), and Christine A. Elow (present).

Staff Member Present: Chris O'Neil, Administrative Assistant.

Decisions: All votes were by roll call vote, 2-0, unless otherwise stated.

Public Testimony Matters

1. **Application #169042** Helmand Cambridge, Inc. d/b/a The Helmand, 143 First Street, Common Victualler All Alcohol License #57348, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way on the sidewalk and into the parking lane with 24 seats. The proposed premises description is: Approximately 2,100 sq. ft. in one room on the first floor, kitchen and storage in the rear. Includes outdoor seating on the public way, on the sidewalk curbside and into the parking lane, of approximately 320 sq. ft.

Present: Ali Tohki.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror Temporary Extension issued due to COVID-19 #82802. The proposed seating capacity is 24. On the updated plan, on the side of the sidewalk for a barrier there is flowerpot fencing, the law department will require the height, material and width of these as well as the measurement of the entrance to the patio. The Sidewalk Street Business Use Permit ("SSBU") has not issued. The hours of operation meant to mirror the ones for inside.

Decision: Granted subject to and pending issuance of the SSBU and any conditions therein.

2. **Application #168033** Harvard Square BBQ Co., LLC d/b/a Smoke Shop, 8 Holyoke Street, Common Victualler All Alcohol License #53343, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way in the parking lane with 30 seats. The proposed premises description is: First floor 2,550 sq. ft. with main dining room and bar seating, kitchen, 3 exits; Basement 2,550 sq. ft. with 3 bathrooms, 1 dining area, 1 office, 1 prep kitchen, 3 exits including an elevator. 600 sq. ft. seasonal outdoor patio on public property in the parking lane.

Present: Attorney James Rafferty and Aimee Magner.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror Temporary Extension issued due to COVID-19 #112602, but with a little less square footage and capacity. The amount sought is 400 sq. ft. with 26 seats. The hours of operation are meant to mirror the ones for inside. The SSBU has not issued.

Decision: Granted subject to and pending issuance of the SSBU and any conditions therein, and with condition that while the outdoor area is open and operating, must have managerial staff dedicated to monitoring it.

3. **Application #169673** Sweetcream Foods, Inc. d/b/a Café Luna, 612 Main Street, Common Victualler All Alcohol License #11602, has applied for an Alteration of Premises to include an outdoor seasonal patio on the public way on the sidewalk curbside and into the parking lane and on private property against the building with 40 seats. The proposed premises description is: 1,700 sq. ft. on first floor has two exits and one entrance. Bar, kitchen, three restrooms, and auxiliary comfort spaces. 631 sq. ft. mezzanine space. Approximately 150 sq. ft. patio along the building on private property and approximately 360 sq. ft. of patio space on public property on the curbside of the sidewalk and into the parking lane.

Present: Matt Haymer.

Documents Considered: Application and documents attached thereto.

Summary: This is meant to mirror Temporary Extension issued due to COVID-19 #76476, but smaller in capacity and square footage. There are 4 outdoor areas. The first on the private sidewalk against the building 150 sq. ft. with 16 seats. This section is part of the current license and it used to approved for 8 seats, but within a larger area, 250 sq. ft. The lease showing they have the right to occupy that space is needed. The second patio is 50 sq. ft. on the public sidewalk curbside with 4 seats. The third patio is also 50 sq. ft. on the public sidewalk curbside with 4 seats. The fourth patio/area is on the parking lane 260 sq. ft. with 16 seats. Total outdoor occupancy is 40. The SSBU has issued. The hours of operation meant to mirror the ones for inside.

Decision: Granted.

Public Testimony Matter Added to the Agenda After Posting

4. **Rehearing/Disciplinary** Devonshire Restaurant Group, LLC d/b/a Drifter's Tale, 1281 Cambridge Street, Common Victualler All Alcohol License #111632 – Re-hearing on rejection of renewal, expiration of license, or cancellation/revocation of license for failure to properly renew, G. L. c. 138, §§ 16A, 23 and 64 and the Board's Rules, Regulations and Procedures.

Present: Attorney Peter Pasciucco and Jairo Dominguez.

Documents Considered: Hearing notice, all correspondence regarding renewals for 2022, and electronic and physical record. Previous cases.

Summary: There was no contention that the business failed to pay the second half of the renewal fee by the due deadline. Although Dominguez claims to have paid the fee online with a credit card, there is no evidence presented by him or on the License Commission record that Dominguez logged in, paid or attempted to pay. The fee was due 5/13/22, prior to that date Dominguez received 5 emails outside of the system reminding them (one of those sent to all partners) of the payment deadline, 3 messages were sent and received through the system, and 3 phone calls were made by the License Commission staff. Dominguez claimed to have paid on 5/12 but on 5/13 at 10:15 a.m. they received notification that the fee was still due.

Decision: Board vote ratified, license has expired, renewal is rejected, in the alternative the license is cancelled/revoked for failure to properly renew and/or follow Board's procedures.

Administrative Matters Added as Supplement to Agenda
[Were posted as a supplement to the original meeting agenda]

All the below listed matters were considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters were decided upon by the individual review of the papers/applications/matter before the Board members and each member voted upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed on the agenda.

5. **Application #177155** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Tercentenary Theater/Harvard Yard 2 Kirkland Street, on 6/3/22 from 11:30 a.m. – 1:30 p.m. for an alumni spread lunch with live music and amplification system. Expected attendance – 5000 people.

Decision: Granted.

6. **Application #177159** Michelle Torra, on behalf of Harvard Alumni Association has applied for an all alcohol and entertainment license to be exercised at Tercentenary Theatre- 2 Kirkland Street, on 6/3/22 from 7:30 p.m. – 11:30 p.m. for a reception/party with patrons dancing, live music and amplification system. Expected attendance – 1350 people.

Decision: Granted.

7. **Application #177163** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Science Center Plaza tent 1 Oxford Street, on 6/3/22 from 7:00 p.m. – 11:00 p.m. for a 25th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 627 people.

Decision: Granted.

8. **Application #177167** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Winthrop House 32 Mill Street, on 6/3/22 from 6:30 p.m. –

10:30 p.m. for a 40th reunion dinner with patrons dancing, recorded music, live music and amplification system. Expected attendance – 400 people.

Decision: Granted.

9. **Application #177179** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Leverett House 28 Dewolfe Street, on 6/3/22 from 7:00 p.m. – 11:00 p.m. for a 15th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 445 people.

Decision: Granted.

10. **Application #177182** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Lowell House 10 Holyoke Place, on 6/3/22 from 7:00 p.m. – 11:00 p.m. for a 20th reunion dinner with patrons dancing, recorded music, dj and amplification system. Expected attendance – 412 people.

Decision: Granted.

11. **Application #177166** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Dunster House 945 Memorial Drive, on 6/3/22 from 6:00 p.m. – 10:00 p.m. for a 45th reunion dinner with patrons dancing, recorded music, live music and amplification system. Expected attendance – 269 people.

Decision: Granted.

12. **Application #177357** Michelle Torra, on behalf of the Harvard Alumni Association has applied for an entertainment license to be exercised at Radcliffe Quad Tent 52 Linnaean Street, on 6/4/22 from 6:30 p.m. – 12:00 a.m. for a 10th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 692 people.

Decision: Granted.

13. **Application #177359** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Science Center Plaza Tent 1 Oxford Street, on 6/4/22 from 6:30 p.m. – 12:00 a.m. for a 5th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 815 people.

Decision: Granted.

14. **Application #177362** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Dunster House 945 Memorial Drive, on 6/4/22 from 6:00 p.m. – 11:00 p.m. for a 35th reunion dinner with patrons dancing, dj, live music and amplification system. Expected attendance – 477 people.

Decision: Granted.

15. **Application #177365** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Lowell House 10 Holyoke Street, on 6/4/22 from 6:30 p.m. – 11:00 p.m. for a 30th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 386 people.

Decision: Granted.

16. **Application #177366** Michelle Torra, on behalf of Harvard Alumni Association has applied for an entertainment license to be exercised at Winthrop House 32 Mill Street, on 6/4/22 from 7:00 p.m. – 12:00 a.m. for a 15th reunion dinner with patrons dancing, dj and amplification system. Expected attendance – 528 people.

Decision: Granted.

17. **Application #177156** Visnja Zarak, on behalf of Harvard School of Public Health, has applied for a wine and malt license to be exercised at Littauer Center for Public Administration, 1805 Cambridge St, Under a tent, on 6/3/22 from 4:30 p.m. – 6:30 p.m. for a networking event. Expected attendance 75.

Decision: Granted.

By the Board of License Commissioners

Minutes Approved: June 9, 2022



Nicole Murati Ferrer, Chair

Minutes Posted: June 9, 2022



Gerard Mahoney, Fire Chief



Christine Elow, Police Commissioner